

CITY OF WACONIA
November 21, 2016

Pursuant to due call and notice thereof, the regular meeting of the City Council of the City of Waconia was called to order by Mayor Jim Sanborn at 6:00 p.m. The following members were present: Jim Sanborn, Kent Bloudek, Lynn Ayers, Marc Carrier. Absent: Charles Erickson.

Staff Present: Lane Braaten, Craig Eldred, Nicole Lueck, Mike Melchert, Ann Meyerhoff.

Visitors: Paul Scheuble, Christy Haasken Schuler, Kellie Sites, Diane Beck, Jack Engel, Phil Hazel, Michelle Gray, Noah McCourt, Sharon Montague, Jessica Fischer.

Pledge of Allegiance was led by Mayor Sanborn

ADOPT AGENDA: Addition of Resolution 2016-227 to Consent Agenda. Change Resolution 2016-178 to 2016-228 and remove item #12 to meet in closed session. Motion by Carrier, seconded by Ayers to Adopt the Agenda as amended. All present voted aye. **MOTION CARRIED.**

VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE: Kellie Sites gave a recap of the upcoming Holiday events in Waconia.

PUBLIC HEARING: Consider Assessment Roll for 2016 Improvement Project

Mayor Sanborn called the public hearing to order to Adopt Resolution No. 2016-226, Adopting Assessment Roll for the 2016 Improvement Project.

Jake Saulsbury, Project Manager from Bolton and Menk gave a short presentation touching on the project scope, schedule, cost summary, final cost apportionment summary, and assessments.

On October 17, 2016, the City declared the final costs for the 2016 Infrastructure Rehabilitation Project. Mailed notice to the affected property owners was completed on November 3, 2016.

The final cost for the 2016 Infrastructure Rehabilitation Project is \$4,097,133, which is \$630,467 (13.3%) below the Feasibility Study estimate. The proposed final assessed amount of this portion of the project is \$973,246, which is \$109,861 (10.1%) below the estimates mailed to property owners.

The proposed final assessment roll is on file for public inspection in the City Clerk's Office, during regular business hours. There are three sections to this year's project and three pages of the assessment roll. The assessment roll has a 10 year repayment at 3% interest.

As part of our policy, the amount assessed is determined by our policy or by the special benefit appraisal, whichever was **less**. We have made adjustments to the proposed final assessment roll to take that into consideration.

Nicole Lueck stated that the City had received one written objection from Christy Hassken Schuler and Tony Schuler, regarding 75.2830010..

Motion by Ayers, seconded by Bloudek to close the public hearing on Assessment Roll for 2016 Improvement Project. All present voted aye. **MOTION CARRIED.**

Council Member Carrier stated that he wanted to go on the record saying the he knows year to year this is a challenging time for many citizens and that they have explored alternative ways to do assessments. He said it is the best tool that we have but recognize that it is not the comfortable tool.

Motion by Bloudek, seconded by Ayers to adopt Resolution 2016-226, Adopting Assessment Roll for the 2016 Improvement Project. All Present voted Aye. **MOTION CARRIED.**

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PUBLIC HEARING: Certification of Delinquent Charges for Payment with Taxes-Pay 2017

Mayor Sanborn called the public hearing to order to consider certification of delinquent charges for payment with taxes 2017. Under Minnesota law, the City may certify for payment with tax collections, delinquent utility accounts and other charges for service that have not been paid during the course of normal collection procedures throughout each year.

A public hearing is required prior to certification of delinquent charges. Property owners have been notified of the past due amounts for goods or services that have benefited their property and have been notified of the public hearing opportunity. A list of delinquent accounts was provided at the hearing.

Motion by Ayers, seconded by Carrier to close the public hearing on Certification of Delinquent charges for payment with taxes 2017. All present voted aye. **MOTION CARRIED.**

Motion by Bloudek, seconded by Ayers to adopt Resolution 2016-225, Adopting Certification of Delinquent Utility and other Charges for Services for Payment with Taxes in 2017. All Present voted Aye. **MOTION CARRIED.**

ADOPT CONSENT AGENDA

- 1) Approve October 17, 2016 City Council Meeting Minutes.
- 2) Approve November 7, 2016 City Council Meeting Minutes.
- 3) Approve November 10, 2016 City Council Meeting Minutes.
- 4) Authorize Payment of November 21, 2016 Expenditures.
- 5) Adopt Motion to Authorize Use of Streets/Trails/Parking Lot.
- 6) Adopt Motion to Approve Payment for 2017 Infrastructure Improvement Easements for Pipe, Ponding, and Roadway to Brian Koch & Gary Meuwissen.
- 7) Adopt Resolution No. 2016-224, Approving the Variance request by Philip Hazel.
- 8) Adopt Resolution No. 2016-227, Accepting Voluntary Resignation and Authorizing Recruitment.

Motion by Carrier, seconded by Ayers to Adopt the Consent Agenda as amended. All present voted aye. **MOTION CARRIED.**

COUNCIL BUSINESS:

Amend Resolution No. 206-178 – Outdoor Area for Chumly’s Bar Lane Braaten explained that City Council, at their regular meeting on September 6th, 2016, adopted Resolution No 2016-178 approving an outdoor patio area for Chumly’s Bar located at 112 Main Street West. The approval required the applicant to submit the patio plans to the Metropolitan Council for review and consideration to determine if any additional Sewer Availability Charges (SAC) would be charged for the proposed outdoor seating area, which included 34 additional seats.

Based on multiple conversations with the Metropolitan Council and the applicant Mr. Paul Scheuble, staff has received an amendment request that would limit the number of seats allowed in the outdoor patio space to 19 seats maximum. The Metropolitan Council, based on their calculations, have indicated that 19 seats for the outdoor patio space would not require any additional SAC units charged and therefore no additional City trunk fees would be due for the project. Further, the Metropolitan Council requires a formal restriction by the City limiting the number of seats on said patio and therefore this request has been placed on this evening’s agenda.

The applicant requests City Council amend Resolution 2016-178 to include a twelfth condition of approval limiting the number of outdoor seats to a maximum qty. of 19 at any one time. If the Council finds this condition amenable the maximum seating allowed would be enforceable by City Staff and if the applicant were to exceed the maximum number of seats allowed he would be in violation of City approval.

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Motion by Bloudek, seconded by Carrier to Adopt Resolution No. 2016-228, Approving the Outdoor Application for Chumly's Bar located at 112 Main Street West with the original 11 conditions of approval and an additional condition limiting the number of outdoor seats to a maximum of 19 at the request of the property owner. All present voted aye.

MOTION CARRIED.

ITEMS REMOVED FROM CONSENT AGENDA: None

STAFF REPORTS: None.

BOARD REPORTS:

Council Member Erickson - No Report

Council Member Bloudek – No Report

Council Member Carrier – No Report

Council Member Ayers – No Report

Mayor Sanborn – No Report

ANNOUNCEMENTS: Winter Parking is in effect.

ADJOURN:

Motion by Carrier, seconded by Ayers to adjourn the meeting at 6:31 p.m. All present voted aye. MOTION CARRIED

James P Sanborn, Mayor

ATTEST: _____
Ann Meyerhoff, Office Assistant